

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RAYMOND WIERZBIC, BERNICE WIERZBIC,
BRIAN WIERZBIC, AND ANGELENE WIERZBIC,

Plaintiffs,

v.

Case Number: 1:13-CV-00978-WMS-LGF

COUNTY OF ERIE,
ERIE COUNTY SHERIFFS DEPARTMENT,
ERIE COUNTY SHERIFF, TIMOTHY HOWARD,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF MICHAEL HOOCK,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF JASON WEISS,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF THOMAS WAS,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF JAMES FLOWERS
Individually and in his official capacity,
TOWN OF AURORA,
EAST AURORA POLICE DEPARTMENT,
EAST AURORA POLICE CHIEF RONALD KROWKA,
Individually and in his official capacity,
EAST AURORA POLICE OFFICER ROBERT BRAEUNER,
Individually and in his official capacity,

Defendants.

**APPENDIX TO COUNTY DEFENDANTS
RULE 56 COUNTER STATEMENT OF
MATERIALS FACTS**

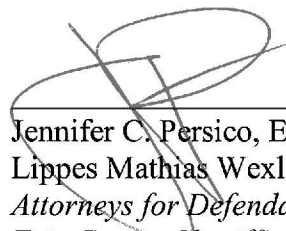
The Defendants, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT,
ERIE COUNTY SHERIFF, TIMOTHY HOWARD, individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF MICHAEL HOOCK, individually and in his official
capacity, DEPUTY ERIE COUNTY SHERIFF JASON WEISS, individually and in his official

capacity, DEPUTY ERIE COUNTY SHERIFF THOMAS WAS, individually and in his official capacity, and DEPUTY ERIE COUNTY SHERIFF JAMES FLOWERS, individually and in his official capacity, (collectively the "County Defendants"), in accordance with Local Rule 56.1, submit the following Appendix to the Rule 56.1 Counter Statement of Material Facts:

EXHIBIT A: Defendant East Aurora's Interrogatories

EXHIBIT B: Plaintiffs' Response to Defendant East Aurora's Interrogatories

Dated: June 24, 2016
Buffalo, New York



Jennifer C. Persico, Esq.
Lippes Mathias Wexler Friedman LLP
*Attorneys for Defendants County of Erie,
Erie County Sheriff's Department, Timothy
Howard, Michael Hooch, Jason Weiss,
Thomas Was, and James Flowers*
50 Fountain Plaza, Suite 1700
Buffalo, New York 14202
Telephone: (716) 853-5100
E-Mail: jpersico@lippes.com

To: Paul E. Fallon, Esq.
Attorney for Plaintiffs
57 High Park Blvd.
Amherst, New York 14226
Telephone: (716) 830-2931
E-Mail: pfallon6458@gmail.com

Daire Brian Irwin, Esq.
Attorney for Plaintiffs
210 Voorhees Avenue
Buffalo, New York 14216
Telephone: (716) 822-7645
E-mail: dbi59@roadrunner.com

Julie P. Apter, Esq.
Kristin Klein Wheaton, Esq.
GOLDBERG SEGALLA LLP
*Attorneys for Co-Defendants East Aurora Police Department,
East Aurora Police Chief Ronald Krowka and
East Aurora Police Officer Robert Braeuner*
665 Main Street, Suite 400
Buffalo, New York 14203
Telephone: (716) 566-5400
E-mail: japter@goldbergsegalla.com
E-mail: kwheaton@goldbergsegalla.com